

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

ISAAC BRIGGS #B-73562,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 11 C 4764
	)	
CITY OF CHICAGO, ILLINOIS,	)	
	)	
Defendant.	)	

MEMORANDUM ORDER

This Court has just had reassigned to its calendar, as a result of the untimely death of its friend and colleague Honorable William Hibbler, this pro se action brought by Isaac Briggs ("Briggs") against the City of Chicago. What the case docket reflects is that Judge Hibbler had originally dismissed Briggs' Complaint but then reinstated it on August 17, 2011 on Briggs' motion. It also appears that the City was never served with process, so that the action has lain fallow for a number of months.


Because Judge Hibbler clearly had it right the first time around, this Court dismisses this action once again. So that Briggs will understand the basis for dismissal in the event he wants to try again against a proper defendant, a brief explanation follows.

To begin with, the City has no arguable liability under 42 U.S.C. §1983 ("Section 1983") because of what Briggs' Complaint ¶IV characterizes as "atrocities" committed by Chicago police

officers (see Monell v. Dep't of Social Servs. of City of New York, 436 U.S. 658, 691 (1978)). It Briggs wishes to bring any Section 1983 action because of asserted violations of his constitutional rights by such officers, they are the ones who must be sued.

In addition, the same Complaint ¶IV refers to "such atrocities" as having taken place "in the years of 1999 and 2000 and 2001 to date." But any Section 1983 action must be brought within two years of the asserted violation of constitutional rights.

In sum, then, this action must be and is dismissed once again. Such dismissal is of course without prejudice to Briggs' ability to bring a proper Section 1983 lawsuit against a proper party or parties.



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Milton I. Shadur  
Senior United States District Judge

Date: April 24, 2012